

**SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM**

SUBJECT: 752 Cross Bow Lane – Aluminum and More, applicant; Request for a rear yard setback variance from 30 feet to 17 feet for a proposed screen room in R-1A (Single Family Dwelling District).

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Kathy Fall **CONTACT:** Joy Williams **EXT.** 7399

Agenda Date 02/26/07 **Regular** ☐ **Consent** ☐ **Public Hearing – 6:00** ☒

MOTION/RECOMMENDATION:

1. **DENY** the request for a rear yard setback variance from 30 feet to 17 feet for a proposed screen room in R-1A (Single Family Dwelling District); or
2. **APPROVE** the request for a rear yard setback variance from 30 feet to 17 feet for a proposed screen room in R-1A (Single Family Dwelling District);; or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	<p>Applicant: Aluminum and More</p> <p>Owner: Susan & William Kuhn</p> <p>Location: 752 Cross Bow Lane</p> <p>Zoning: R-1A (Single Family Dwelling District)</p> <p>Subdivision: Woodbine</p>
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant proposes to construct a 17 foot by 14 foot screen room over an existing concrete patio. • The proposed 238 square foot screen room would encroach 13 feet into the required 30-foot rear yard setback. • There are currently no code enforcement or building violations for this property. • There is no record of prior variances for this property.

STAFF FINDINGS	<p>The applicant has not satisfied the criteria for the grant of a variance. Staff has determined that:</p> <ul style="list-style-type: none">• No special conditions or circumstances exist, which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or building in the same zoning district.• Special conditions and circumstances result from the actions of the applicant.• The granting of the variance requested would confer on the applicant special privileges that are denied by Chapter 30 to other lands, buildings, or structures in the same zoning district.• The literal interpretation of the provisions of Chapter 30 would not deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification.• The variance requested is not the minimum variance that will make possible reasonable use of the land, building or structure.• The applicant would still retain reasonable use of the land, building or structure without the granting of the variance.• The grant of the variance would not be in harmony with the general intent of Chapter 30.
STAFF RECOMMENDATION	<p>Based on the stated findings, staff recommends denial of the request, unless the applicants can demonstrate a hardship. If the Board should decide to grant a variance, staff recommends the following conditions of approval:</p> <ul style="list-style-type: none">• Any variance granted shall apply only to the screen room as depicted on the attached site plan; and• Any additional condition(s) deemed appropriate by the Board, based on information presented at the public hearing.

INDEX OF ATTACHMENTS

Items that are checked are included in the packet

- ☒ Staff Report
- ☒ Application
- ☐ Applicant statement of request
- ☒ Proposed Site Plan
- ☒ Location map
- ☒ Property Appraiser data sheet
- ☐ PUD Commitment Card, *if applicable*

Support information:

- ☒ Proposed elevation drawings, renderings, floor plans, etc
- ☐ Aerials, *if warranted*
- ☐ Plat, *if warranted*
- ☐ Code Enforcement information
- ☐ Building Permit information
- ☐ Correspondence
- ☒ Authorization letter
- ☐ Supporting documentation
- ☐ Letters of support
- ☒ HOA approval letter
- ☐ Pictures provided by applicant
- ☐ Other miscellaneous documents

- ☒ Proposed Development Order

Fee: \$150.00 plus \$50.00 for each additional variance

Application # BU 2007-
Meeting Date 2-16-07



COPY
VARIANCE APPLICATION
SEMINOLE COUNTY PLANNING DIVISION
1101 East First Street Sanford FL 32771 (407) 665-7444

PROPERTY OWNER / APPLICANT (If you are not the owner please provide a letter of authorization from the owner)

Name: Susan Kuhn Agent - FRANK CARBOWAS
Address: 752 CROSS BOW LANE City: SANFORD Zip code: 32771
Project Address: 752 CROSS BOW LANE City: SANFORD Zip code: 32771
Contact number(s): 407-221-5090 (407) 654-7522
Email address: Susan@kuhnix.com

Is the property available for inspection without an appointment? ☒ Yes ☐ No

What type of structure is this request for?		RECEIVED
<input type="checkbox"/> Shed	Please describe:	<div>JAN - 4 2007</div> <div>PLANNING DIVISION</div>
<input type="checkbox"/> Fence	Please describe:	
<input type="checkbox"/> Pool	Please describe:	
<input type="checkbox"/> Pool screen enclosure	Please describe:	
<input type="checkbox"/> Addition	Please describe:	
<input type="checkbox"/> New Single Family Home	Please describe:	
<input checked="" type="checkbox"/> Other	Please describe: <u>Screen Room 16 X 14 on Existing SH</u>	
<input type="checkbox"/> This request is for a structure that has already been built.		

What type of variance is this request?			
<input type="checkbox"/> Minimum lot size	Required lot size:		Actual lot size:
<input type="checkbox"/> Width at the building line	Required lot width:		Actual lot width:
<input type="checkbox"/> Front yard setback	Required setback:		Proposed setback:
<input checked="" type="checkbox"/> Rear yard setback	Required setback:	<u>30</u>	Proposed setback: <u>17</u>
<input type="checkbox"/> Side yard setback	Required setback:		Proposed setback:
<input type="checkbox"/> Side street setback	Required setback:		Proposed setback:
<input type="checkbox"/> Fence height	Required height:		Proposed height:
<input type="checkbox"/> Building height	Required height:		Proposed height:
Use below for additional yard setback variance requests:			
<input type="checkbox"/> _____ yard setback	Required setback:		Proposed setback:
<input type="checkbox"/> _____ yard setback	Required setback:		Proposed setback:
<input checked="" type="checkbox"/> Total number of variances requested <u>1</u>			

NO APPLICATION WILL BE ACCEPTED AND/OR SCHEDULED unless all of the information in the Variance application and submittal checklist are provided to the planning division.

Signed: FRANK CARBOWAS

President

FOR OFFICE USE ONLYDate Submitted: 1-4-07Reviewed By: P. JohnsonTax parcel number: 13-20-30-507-000-0100Zoning/FLU R-1A / NR☐ Legally created parcel (1971 tax roll, 5-acre dev, lot split)☐ Platted Lot (check easements as shown on lots, in notes or in dedication)☐ Lot size _____ ☐ Meets minimum size and width☐ Application and checklist complete

Notes: _____

VARIANCE SUBMITTAL CHECKLISTPlease return this checklist with your application!

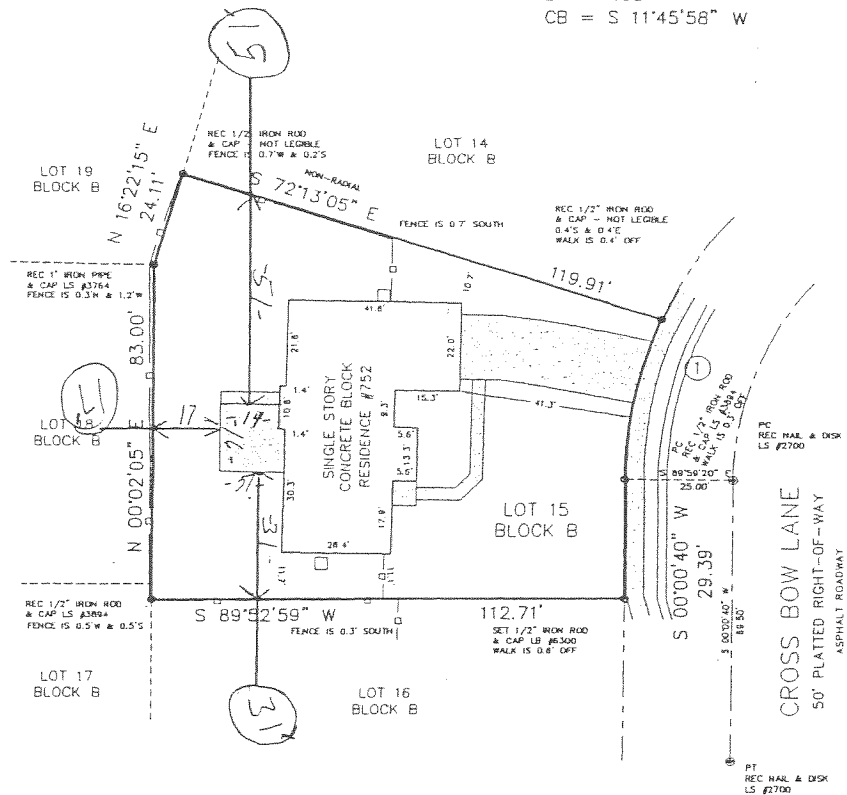
After the application is reviewed by staff for completeness, any items required that were not provided at the time of the application will be check marked below. These must be provided prior to scheduling of the Board of Adjustment hearing.

	1. Completed application.
	2. Owner's authorization letter (if needed). <i>This form can be obtained at http://www.seminolecountyfl.gov/pd/planning/forms.asp</i>
	3. Provide a legible 8 1/2 x 11 inch site plan with the following information NOTE: Please use your property survey for your site plan, if available. See the attached site plan as an example of the information needed; please draw to scale and note the scale used on the plan.
	<input type="checkbox"/> Please start with a clean survey (ex: white out old approval stamps)
	<input type="checkbox"/> Size and dimension of the parcel
	<input type="checkbox"/> Location and name of all abutting streets
	<input type="checkbox"/> Location of driveways
	<input type="checkbox"/> Location, size and type of any septic systems, drainfield and wells
	<input type="checkbox"/> Location of all easements
	<input type="checkbox"/> Existing or proposed house <u>or</u> addition (Label existing, label proposed, and include square footage and dimensions of each)
	<input type="checkbox"/> Existing and/or proposed buildings, structures and improvements (Label existing, label proposed, and include square footage and dimension of each)
	<input type="checkbox"/> Building height
	<input type="checkbox"/> Setbacks from each building to the property lines
	<input type="checkbox"/> Location of proposed fence(s)
	<input type="checkbox"/> Identification of available utilities (ex: water, sewer, well or septic)
	4. Attach additional information and supporting documents such as letters of support from adjacent property owners or Home Owners Association DRB approvals, as desired.

BOUNDARY SURVEY OF

LOT 15, BLOCK B, WOODBINE, ACCORDING TO THE PLAT THEREOF,
AS RECORDED IN PLAT BOOK 41, PAGES 22 & 23,
OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA

$$\begin{aligned} R &= 100.00' \\ \Delta &= 23^{\circ}30'36'' \\ L &= 41.03' \\ CB &= S 11^{\circ}45'58'' W \end{aligned}$$



THIS SURVEY CERTIFIED TO:
PROFESSIONAL MORTGAGE & INVESTMENT, INC.
NATIONAL SETTLEMENT MANAGEMENT
TAYLOR, BEAN & WHITAKER MORTGAGE CORP.
SUSAN KUBIN

BEARINGS ARE BASED ON THE
NORTHERLY LINE OF LOT 15, BLOCK B
BEING N 72°13'05" W PER PLAT.
LEGAL DESCRIPTION FURNISHED BY
CLIENT (UNLESS OTHERWISE NOTED).
THIS IS TO CERTIFY THAT I HAVE
REVIEWED THE FLOOD INSURANCE RATING
MAP (FIRM) PANEL #120229 0135 E
DATED 4/17/95 AND DETERMINED THAT
THE LANDS SHOWN HEREON ARE IN ZONE "X".

NOT VALID WITHOUT THE SIGNATURE AND
THE ORIGINAL RAISED SEAL OF A
FLORIDA LICENSED SURVEYOR AND
MAPPER. ADDITIONS AND DELETIONS TO
SURVEY MAPS, SKETCHES, OR REPORTS
BY OTHER THAN THE SIGNING PARTY OR
PARTIES IS PROHIBITED WITHOUT WRITTEN
CONSENT OF THE SIGNING PARTY OR
PARTIES.

MICHAEL R. SOUTO, PSM #4456
FOR THE FIRM OF ALTAMONTE SURVEYING
AND PLATTING, INC. (A.B. 8300)

SCALE: 1" = 30'

REVIEWED BY: MWS

DRAWN BY: RTH

DATE: 6/18/02

JOB No.: 15990

REVISED:

LEGEND

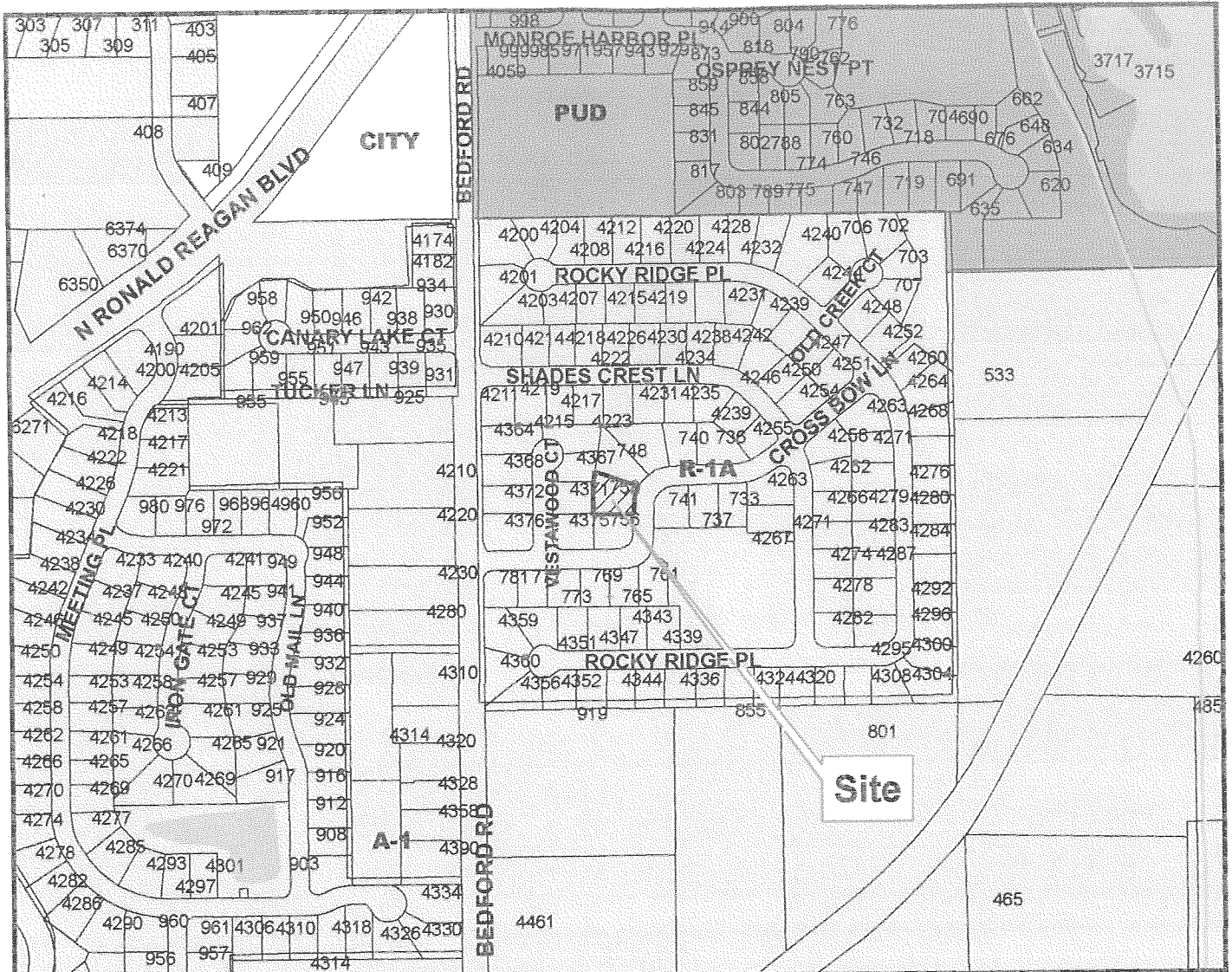
- - RECOVERED 4"x4" CONCRETE MONUMENT NO. #
- ▲ - RECOVERED NAIL & DISK #
- X - RECOVERED X CUT IN CONCRETE
- - RECOVERED 1/2" IRON ROD #
- - RECOVERED 1/2" IRON ROD NO. #
- - RECOVERED 5/8" IRON ROD NO. #
- - SET 1/2" IRON ROD A.B. 6300
- ⊙ - POWER POLE AS SHOWN
- WOOD FENCE AS SHOWN
- x-x- CHAIN LINK FENCE AS SHOWN
- ▣ - CONCRETE SLAB AS SHOWN

Δ = CENTRAL ANGLE (DELTA), L = ARC, R = RADIUS, CB =
CHORD BEARING, R/W = RIGHT OF WAY, A/C = AIR
CONDITIONER, (R) = RADIAL, (NR) = NON-RADIAL, (P) =
PLAT, (M) = MEASURED, (C) = CALCULATED, (D) = DEED,
POB = POINT OF BEGINNING, CONC = CONCRETE,
POC = POINT OF COMMENCEMENT, POL = POINT ON LINE,
PT = POINT OF TANGENCY, PC = POINT OF CURVATURE

THIS SURVEY IS CERTIFIED TO AND PREPARED FOR THE
SOLE AND EXCLUSIVE BENEFIT OF THE ENTITIES AND/OR
INDIVIDUALS LISTED AND SHALL NOT BE RELIED ON BY
ANY OTHER ENTITY OR INDIVIDUAL WHOMSOEVER.
UNDERGROUND FOUNDATIONS AND/OR IMPROVEMENTS
WERE NOT LOCATED AS PART OF THIS SURVEY. LAND
SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS OF
WAYS AND/OR EASEMENTS OF PUBLIC RECORD.

ALTAMONTE SURVEYING AND PLATTING, INC.
445 DOUGLASS AVE. SUITE 1005
ALTAMONTE SPRING, FL 32714
PHONE: (407) 862-7555
FAX: (407) 862-6229



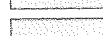

Susan & William Kuhn
752 Cross Bow Lane
Sanford, Florida 32773



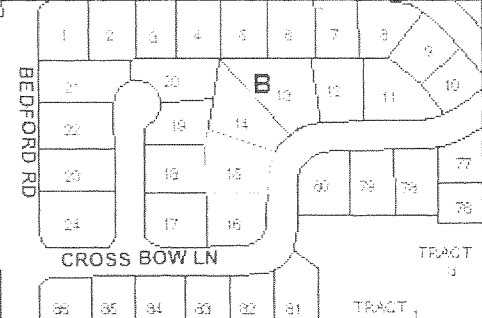

Seminole County Board of Adjustment
February 26, 2007

Case: BV2007-01 (Map 3105, Grid B2)
Parcel No: 13-20-30-507-0B00-0150

Zoning

-  BV2007-01
-  A-1
-  R-1A
-  PUD

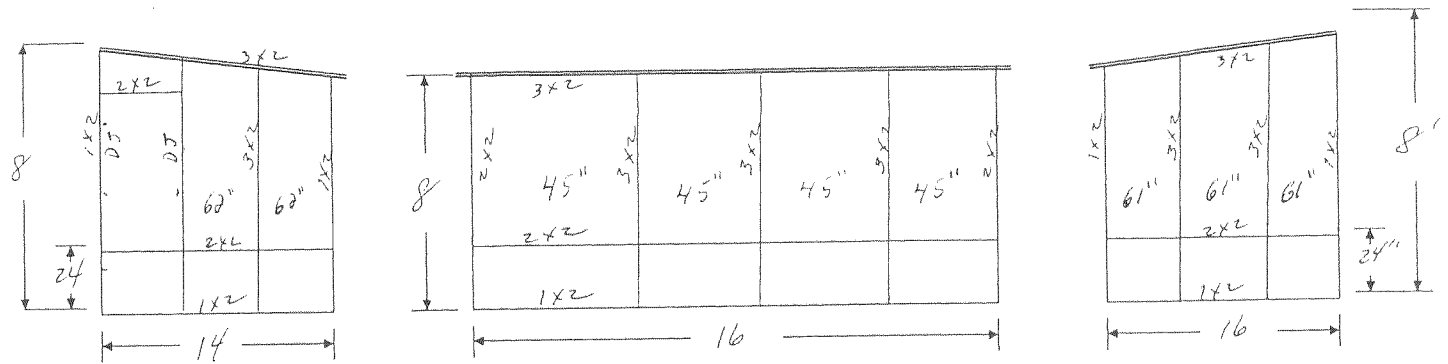


<p>DAVID JOHNSON, CFA, ASA</p> <p>PROPERTY APPRAISER</p> <p>SEMINOLE COUNTY FL.</p> <p>1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7506</p>																																																										
<p align="center">GENERAL</p> <p>Parcel Id: 13-20-30-507-0B00-0150</p> <p>Owner: KUHN SUSAN & WILLIAM N</p> <p>Mailing Address: 752 CROSS BOW LN</p> <p>City,State,ZipCode: SANFORD FL 32773</p> <p>Property Address: 752 CROSS BOW LN SANFORD 32773</p> <p>Subdivision Name: WOODBINE</p> <p>Tax District: 01-COUNTY-TX DIST 1</p> <p>Exemptions: 00-HOMESTEAD (2003)</p> <p>Dor: 01-SINGLE FAMILY</p>		<p>2007 WORKING VALUE SUMMARY</p> <p>Value Method: Market</p> <p>Number of Buildings: 1</p> <p>Depreciated Bldg Value: \$164,626</p> <p>Depreciated EXFT Value: \$634</p> <p>Land Value (Market): \$33,000</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$198,260</p> <p>Assessed Value (SOH): \$121,722</p> <p>Exempt Value: \$25,000</p> <p>Taxable Value: \$96,722</p> <p>Tax Estimator</p>																																																								
<p align="center">SALES</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Deed</th> <th>Date</th> <th>Book</th> <th>Page</th> <th>Amount</th> <th>Vac/Imp</th> <th>Qualified</th> </tr> </thead> <tbody> <tr> <td>WARRANTY DEED</td> <td>06/2002</td> <td>04499</td> <td>0530</td> <td>\$128,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>06/2002</td> <td>04499</td> <td>0527</td> <td>\$128,000</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>08/1999</td> <td>03721</td> <td>1281</td> <td>\$98,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>12/1993</td> <td>02709</td> <td>0626</td> <td>\$82,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>SPECIAL WARRANTY DEED</td> <td>07/1992</td> <td>02456</td> <td>0099</td> <td>\$75,000</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>05/1992</td> <td>02437</td> <td>0699</td> <td>\$68,600</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>05/1989</td> <td>02075</td> <td>1205</td> <td>\$18,900</td> <td>Vacant</td> <td>Yes</td> </tr> </tbody> </table> <p align="center">Find Comparable Sales within this Subdivision</p>		Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	WARRANTY DEED	06/2002	04499	0530	\$128,000	Improved	Yes	WARRANTY DEED	06/2002	04499	0527	\$128,000	Improved	No	WARRANTY DEED	08/1999	03721	1281	\$98,000	Improved	Yes	WARRANTY DEED	12/1993	02709	0626	\$82,000	Improved	Yes	SPECIAL WARRANTY DEED	07/1992	02456	0099	\$75,000	Improved	No	WARRANTY DEED	05/1992	02437	0699	\$68,600	Improved	No	WARRANTY DEED	05/1989	02075	1205	\$18,900	Vacant	Yes	<p>2006 VALUE SUMMARY</p> <p>Tax Value(without SOH): \$2,610</p> <p>2006 Tax Bill Amount: \$1,511</p> <p>Save Our Homes (SOH) Savings: \$1,099</p> <p>2006 Taxable Value: \$93,753</p> <p align="center">DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>
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**ALUMINUM
AND MORE**
INC. A TRS.

SCREEN ROOMS + POOL ENCLOSURES + HOUSE GUTTERS



Customer: Susan Kuhn
Address: 752 Cross Bow Ln.
City: Sanford FL 32773
Subdivision: Woodbine
Contact #: _____

* DRAWING NOT TO SCALE

Roof Type: Insulated / Pan
Extrusion Color: White / Bronze
Screen Type: 18x14 / 20x20
Kickplate Type: Embossed / Smooth
Gutter: Yes / No # of Downspouts 2
Fixture Beam: Yes / No How Many _____
Pet Doors: Yes / No How Many _____ Size _____

December 11, 2006

To whom this may concern,

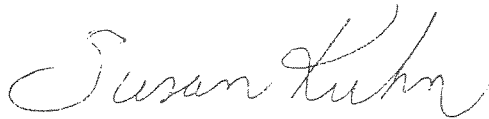
My name is Susan Kuhn and I live at 752 Cross Bow Lane
Sanford, Florida 32773 (Lot 15 BLK. B Woodbine)

Please accept this letter as my formal request to have Mr. Rick
Rush or Frank Cardenas as my personal representative during the
variance process. Please copy all correspondence to Mr. Rush or
Mr. Cardenas at:

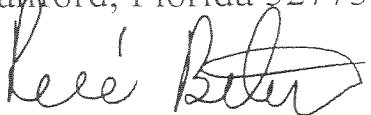
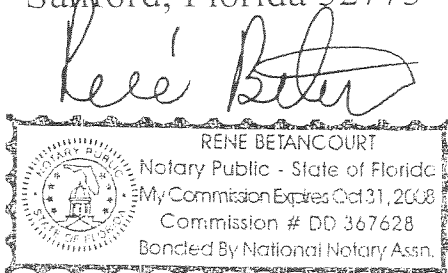
Aluminum and More
332 Maguire Road
Ocoee, Florida 34761

If you have any questions please direct them to Mr. Cardenas
(407654-7522) and he will contact me if at all necessary.

Respectfully,



Susan Kuhn
752 Cross Bow Lane
Sanford, Florida 32773



DD 367628

RECEIVED FEB 05 2007

WOODBINE HOMEOWNERS ASSOCIATION
4281 Rocky Ridge Place
Sanford, FL 32773

B42007-01

January 30, 2007

Susan Kuhn
752 Cross Bow Lane
Sanford, FL 32773

Re: Screen Porch Addition (Lot B-15)

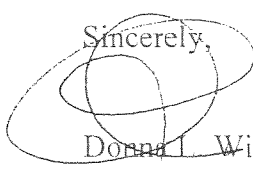
Dear Ms. Kuhn,

Please be advised that the Architectural Review Board (ARB) has reviewed the site plans for the screen porch addition to your residence. The ARB has informed the board of directors, by way of a copy of this letter, that the plan submitted indicates that one side of the proposed addition is not within the county guidelines, as it is less than 30 feet from the property line boundaries.

It is the understanding of the Homeowner's Association (HOA) that you have applied for a variance through Seminole County, in regards to this request. The HOA has determined that your request to add a screen porch would not be considered detrimental to the value of the property and therefore, the HOA would not oppose the county granting the variance has you have requested.

Therefore, please accept this letter as the association's approval in reference to your addition. You may now begin obtaining the necessary permits and other required documents to begin construction.

Sincerely,



Donna L. Wiebe
Secretary, Woodbine HOA
for Julie Bahr
President, Woodbine HOA

cc: Homeowner file
Aluminum and More, Inc.

SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

On February 26, 2007 Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 15 BLOCK B, WOODBINE PB 41 PGS 22 & 23

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

FINDINGS OF FACT

Property Owner: Susan & William Kuhn
752 Cross Bow Lane
Sanford, FL 32773

Project Name: Cross Bow Lane (752)

Requested Development Approval:

Request for a rear yard setback variance from 30 feet to 17 feet for a proposed screen room in R-1A (Single Family Dwelling District).

The Development Approval was sought for a proposed screen room that would encroach 13 feet into the rear yard setback. The applicant still retains reasonable use of the property without the granting of the requested variance.

The requested development approval is hereby denied.

Prepared by: Joy Williams, Planner
1101 East First Street
Sanford, Florida 32771

Done and Ordered on the date first written above.

By: _____
April Boswell, AICP
Planning Manager

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared _____ who is personally known to me or who has produced _____ as identification and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2007.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On February 26, 2007 Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 15 BLOCK B, WOODBINE PB 41 PGS 22 & 23

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

FINDINGS OF FACT

Property Owner: Susan & William Kuhn
752 Cross Bow Lane
Sanford, FL 32773

Project Name: Cross Bow Lane (752)

Requested Development Approval:

Request for a rear yard setback variance from 30 feet to 17 feet for a proposed screen room in R-1A (Single Family Dwelling District).

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: Joy Williams, Planner
1101 East First Street
Sanford, Florida 32771

Order**NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:**

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.
- (3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:
 1. The variance granted will apply only to the screen room as depicted on the attached site plan.
- (4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.
- (5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

Done and Ordered on the date first written above.

By: _____
April Boswell, AICP
Planning Manager

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared _____ who is personally known to me or who has produced _____ as identification and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2007.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires: